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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/781,907

02/20/2004

Hyoung-jun Park

Q78876

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23373 7590 02/28/2006

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EXAMINER

CERULLO, JEREMY S

ART UNIT

PAPER NUMBER

2112

DATE MAILED: 02/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/781,907

Applicant(s)

PARK, HYOUNG-JUN

Examiner

Jeremy S. Cerullo

Art Unit

2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 10-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20040726 20041222.
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. 20060218.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-14 are pending in the following action.

Election/Restrictions

2. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-9, drawn to a card type USB connector/gender changer, classified in class 710, subclass 301.
 - II. Claims 10-14, drawn to a USB memory card, classified in class 710, subclass 308.

The inventions are distinct, each from the other because of the following reasons:

3. Inventions I and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different designs, modes of operation, and effects (MPEP § 802.01 and § 806.06). In the instant case, the different inventions have different uses. Invention I deals with a device capable of connecting a card-type connector with a standard USB connector, whereas invention II deals with a USB memory storage device.
4. Because these inventions are independent or distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

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5. During a telephone conversation with Tracy Johnson on 9 February 2006 a provisional election was made without traverse to prosecute the invention of Group 1, claims 1-9. Affirmation of this election must be made by applicant in replying to this Office action. Claims 10-14 withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Drawings

6. Figures 1, 2, and 9 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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8. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

9. Claims 1-9 contain numerous references to USB, however there is no indication as to which version of the USB standard is being used. The claims are therefore indefinite.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S.

Patent No. 6,422,469 ("Pernet").

12. As for Claim 1, Pernet discloses a card type plug (memory card 2 on slide unit 14 in Figures 1-2) with contacts (pins) to connect to the electrical contacts (pins) (Figure 2, Items 8; Column 2, Lines 33-49) of the card type receptacle (Figure 2, Item 6). While not explicitly taught in the reference, it is inherent that the pins in the plug would not be

powered on until contact is made with the receptacle, as memory cards of the kind disclosed in Pernet require external power to function.

13. As for Claim 2, as shown in Figure 2 of Pernet, both the plug (Item 2) and the receptacle (Item 6) are polygonal.

14. As for Claim 3, Pernet further discloses that the plug has projections (Figure 2, Items 30, 32, 34, 36, and 38) to guide the insertion of the plug. And that the receptacle body has tracks (holes) to accept the projections (Column 2, Line 58 – Column 3, Line 13).

15. As for Claim 4, Pernet discloses a device with a card type receptacle (Figure 2, Item 6) for receiving a card type plug (memory card 2 on slide unit 14 in Figures 1-2) with contacts (pins) to connect to the electrical contacts (pins) (Figure 2, Items 8; Column 2, Lines 33-49) of the card type receptacle (Figure 2, Item 6). Pernet also discloses a USB plug (Item 10, Figure 1) connected to the receptacle body, where in the USB pins are electrically connected to the pins of the receptacle (Column 2, Lines 33-49).

16. As for Claim 5, as shown in Figures 1 and 2 of Pernet, the USB plug is a type A plug.

17. As for Claim 6, Pernet further discloses that the plug has projections (Figure 2, Items 30, 32, 34, 36, and 38) to guide the insertion of the plug. And that the receptacle body has tracks (holes) to accept the projections (Column 2, Line 58 – Column 3, Line 13).

18. Claims 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by the January 2002 product listing of the Ratoc USB 2.0 PCMCIA PC Card (<http://web.archive.org/web/20020111062735/http://www.usbstuff.com/pcmcia.html>) ("Ratoc").

19. As for Claim 7, Ratoc discloses a device with a card type interface with a plurality of pins (the PCMCIA Card interface) and a USB receptacle (two USB ports on the card) whose pins are electrically connected to the pins of the card interface. While the electrical connection is not explicitly taught, it is inherent that the ports be electrically connected to perform the functions of the device.

20. As for Claim 8, the receptacles shown in Ratoc are USB type A receptacles.

21. As for Claim 9, Ratoc discloses that the card plug is a PCMCIA connector. It is commonly known to those skilled in the art that the PCMCIA connector comprises guide rails to prevent improper insertion of the card.

Conclusion

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: U.S. Patent No. 6,744,634; U.S. Patent No. 6,567,273; and U.S. Patent No. 6,435,409.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy S. Cerullo whose telephone number is (571) 272-3634. The examiner can normally be reached on Monday - Thursday, 8:00-4:00; Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Perveen can be reached on (571) 272-3676. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JSC



Mark Davis
Examiner